

STATEMENT OF PURPOSE

RS19996

The Idaho Underground Storage Tank Act (Title 39, Chapter 88, of the Idaho Code) was passed into law in 2007 and has the stated intent "to establish a state underground storage tank program." In order to receive EPA approval of the State program, the penalty provisions in Idaho Code must meet the minimum penalty requirements of federal law. Lining up the penalty requirements is one of the final steps the State must take to fulfill the intent of the Idaho Underground Storage Tank Act.

We propose to amend Chapter 88 to mirror the federal penalty requirements for the underground storage tank program, which consist of a maximum \$5,000 per day per tank for continuing violations, and a maximum of \$5,000 for a single violation, which will enable the EPA to give Idaho program approval. Underground storage tank owners and operators are already subject to the specified penalty amounts by EPA. Current State penalty amounts are \$1,000 per day for continuing violations; \$10,000 for a single violation.

FISCAL NOTE

No fiscal impacts to state or local government.

The change in penalty amounts in this proposed legislation for regulated underground storage tank owners and operators, increasing the continuing violation maximum and reducing the single violation maximum in State law, is not anticipated to significantly impact the regulated community.

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